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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,278	12/27/2005	Lennart Haglund	12400-041	1860

757 7590 02/25/2008
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EXAMINER	
FLEMING, FAYE M	
ART UNIT	PAPER NUMBER
3616	
MAIL DATE	DELIVERY MODE
02/25/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/537,278	HAGLUND, LENNART	
	Examiner	Art Unit	
	Faye M. Fleming	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 December 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7 and 9-17* is/are rejected.

7)☒ Claim(s) *8* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *7/12/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

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Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7 and 9-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Kortgen (4,792,127).

A lifting unit for lifting the rear part of a bonnet, the lifting unit comprising a hollow cylindrical guide and at least one piston 140 moveable relative to the hollow cylindrical guide 151, the piston being of hollow cylindrical form. The lifting unit further comprises two pistons 142,140 each of the pistons moveable relative to the guide 151 and each of the pistons moveable relative to the others of the pistons. Both of the pistons are of hollow cylindrical form, both of the pistons being telescopically inter-engaged, the innermost of the piston telescopically engaging the cylindrical guide. The lifting unit further comprises one of the pistons 142 moveable relative to the guide 145 and the one piston having a piston head 144 and a piston rod moveable relative to the cylindrical piston. The piston rod is connected to the piston head by a yieldable coupling to enable the piston rod to be deflected from an initial axis of movement of the piston rod. The piston head 144 is provided with a peripheral resilient sealing ring 147 to facilitate deflection of the piston rod from an initial axis of movement of the piston rod. The lifting unit defines an inner hollow cylindrical guide 145 and an outer hollow cylindrical guide 151, the piston being located between the inner cylinder guide 145 and the outer guide sleeve. The outer hollow guide sleeve is provided with a re-entrant top portion configured to engage a piston head provided on the piston. Further, Kortgen also discloses a lifting unit for lifting a part of a hood or bonnet, the lifting unit comprising a plurality of elements, at least one of the elements being

moveable relative to another of the elements along a predetermined axis, the lifting unit is configured so that when the lifting unit is actuated at least part of the lifting unit may deviate from the axis to facilitate the effecting of a virtual pivoting movement of the rear part of the bonnet. The entire lifting unit is mounted to be tilted from an initial position. The lifting unit is mounted with an abutment face present on the lifting unit engaging a resilient element mounted on a support, the resilient element being configured to be deformed to permit the tilting. At least one part of the unit is yieldable to enable one element to be deflected from the axis on deployment of the lifting element. The lifting element incorporates a piston having a piston head and a piston rod, the piston rod being connected to the piston head with a yieldable coupling so that the piston rod may become deflected from the axis. The piston rod has a relatively narrow portion which passes through an aperture formed in part of the piston head, a resilient washer via 144 being trapped adjacent piston head by a flange provided on the piston rod. The piston head is provided with a resilient sealing washer capable of deforming to permit one element of the lifting unit to become inclined. A piston is provided with a mounting lug 155 provided with an aperture to receive a pivot pin.

Allowable Subject Matter

3. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye M. Fleming whose telephone number is (571) 272-6672. The examiner can normally be reached on M-F (9:00-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571) 272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Faye M. Fleming/
Primary Examiner, Art Unit 3616